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May 7, 2007

ECF No: _____

Via ECF and U.S. Mail
Honorable Judge Kenneth M. Karas
C/O Clerk of the Court
United States District Court
Southern District of New York
500 Pearl Street, Room 920
New York, NY 10007

Send mail to:
1288 West Main Street
P.O. Box 120
Riverhead, NY 11901-0120

Re: Ello v. Singh, et al., Case No. 05-CV-9625

Dear Judge Karas:

We represent Plaintiff. Plaintiff's Amended Summons and complaint have been on file with the Court since November 20, 2006 and all papers relative to the briefing of the issue of its filing have also been filed. We do not require further oral argument on this motion to amend the complaint. In addition, we have never been served with a "So-Ordered" copy of the stipulation of confidentiality sought by defendants. We no longer wish to participate in such a stipulation because defendants are not entitled to have pleadings maintained confidential any more than any other litigant in the federal court system. The pleading should be a matter of public record in accordance with the court rules. If we are mistaken, please advise as to the legal basis for such confidentiality.

In addition, nearly six (6) months have passed since this office filed the amended summons and complaint. We do not see any reason for any further delay in this case. Mr. Ello's criminal case was dismissed pursuant to 30.30 CPL grounds by my motion on the merits last year. Please be so kind as to rule on the filing of plaintiff's amended Summons and Complaint. Any further delay will continue to prejudice plaintiff's case.

Please note that Wendy Brouwer, Esq. will be working with us on this case as soon as her admission papers are processed. We will continue to update the Court with any new information we learn which is germane to the issues herein.

Thank you.

Very truly yours,


RUTH M. POLLACK

RMP: lb

Cc: Mr. Richard Ello
Wendy Brouwer, Esq.
Proskauer Rose LLP by ECF
Curtis Mallet-Prevost by ECF